

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN**

MERRY CHANCE INDUSTRIES, LTD.,

Civil Action No. 1:06CV0831

Plaintiff,

HON. WENDELL A. MILES

v.

Senior, U.S. District Judge

KOHL'S CORPORATION, KOHL'S ILLINOIS,
INC., KOHL'S DEPARTMENT STORES, INC.,
DLR PRODUCTS, INC., NATIONAL BROOM
COMPANY OF CALIFORNIA, INC. (d/b/a JLR
GEAR), and DAVID L. ROTHMAN,

Defendants.

OFFER OF JUDGMENT

TO: Merry Chance, Ltd.
c/o Mr. Scott R. Murphy
BARNES & THORNBURG LLP
300 Ottawa Avenue NW, Suite 500
Grand Rapids, Michigan 49503

Defendants, Kohl's Corporation and its affiliates, Kohl's Illinois, Inc. and Kohl's Department Stores, Inc., and DLR Products, Inc., National Broom Company of California, Inc. (d/b/a JLR Gear), and David L. Rothman (collectively "Defendants") offer to allow judgment to be taken against them in this matter in the sum \$11,699.00, plus the transfer of molds utilized to make the allegedly infringing product. The molds are worth \$2,500.00. Defendants' offer to allow a permanent injunction order to be entered against them, enjoining them from the sale of the brushes identified in the Complaint. The sum set out in this offer of judgment includes all costs incurred to date.

This offer of judgment is made for the purpose of Rule 68 only, and neither it nor any judgment that may result from this offer may be construed as an admission of liability on the part

of Defendants, or that Merry Chance has suffered any damage. In addition, Defendants especially reserve the right to challenge the alleged infringement, validity, and enforceability of the patent in suit.

This offer is made pursuant to the provisions of Rule 68 of the Federal Rules of Civil Procedure, and will be deemed withdrawn unless you serve a written notice of acceptance of the offer within 10 days of the date that it was served on you.

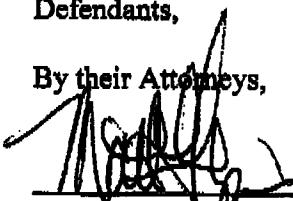
Respectfully submitted,

KOHL'S CORPORATION, KOHL'S ILLINOIS,
INC., KOHL'S DEPARTMENT STORES, INC.,
DLR PRODUCTS, INC., NATIONAL BROOM
COMPANY OF CALIFORNIA, INC. (d/b/a JLR
GEAR), and DAVID L. ROTHMAN

Defendants,

By their Attorneys,

By:


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Dated: March 14, 2007